

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

RP.No. 89 of 2007(H)

AGAINST THE JUDGEMENT/ORDER IN WPC.22337/2004 Dated 23/08/2004
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: REVIEW PETITIONER/PETITIONER:

MENON LAXMI BHUVANENDRA,
LECTURER IN JOURNALISM, FAROOK COLLEGE,
FAROOK COLLEGE P.O., KOZHIKODE (AGED 40,
D/O. G.BHUVANENDRA MENON, `SHWETA',PARAMMEL ROAD,
RAMANATTUKARA P.O., KOZHIKODE DISTRICT,PIN-673 633

BY ADV. SRI.K.S.MADHUSOODANAN

RESPONDENTS: RESPONDENTS:

1. THE STATE OF KERALA TO BE REP. BY
PRINCIPAL SECRETARY,DEPARTMENT OF HIGHER EDUCATION
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.
2. THE DIRECTOR OF COLLEGIATE EDUCATION,
VIKAS BHAVAN, PMG JUNCTION, THIRUVANANTHAPURAM.
3. THE DEPUTY DIRECTOR OF COLLEGIATE
EDUCATION, KOZHIKODE.
4. UNIVERSITY OF CALICUT,
REP. BY REGISTRAR, CALICUT UNIVERSITY,
THENHIPALAM P.O., MALAPPURAM DISTRICT.
5. THE MANAGER,
FAROOK COLLEGE, FAROOK COLLEGE P.O., KOZHIKODE.
6. THE PRINCIPAL,
FAROOK COLLEGE, FAROOK COLLEGE P.O., KOZHIKODE.

BY GOVERNMENT PLEADER SMT.K.K.DEEPA.

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD
ON 21/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

KURIAN JOSEPH, J.

R.P.No.89/07 in W.P.(C) No.22337/04

Dated 21st March, 2007.

O R D E R

The issue pertains to approval of appointment of the petitioner. According to the petitioner, the University having approved her appointment, she is entitled to get all the consequential benefits. Reliance is placed on the bench decision of this Court in **Cherian Mathew v. Principal, S.b.College, Changanassery** (1998(2) KLT 144). However in the judgment, taking note of the judgment in an identical case (O.P.No.35529/02), a direction was issued to the Government to extend the similar benefits to the petitioner. In Annexure II order, the Government has sought to distinguish the case of the petitioner on the ground that the case of the petitioner covered by Ext.P21 judgment factually differs since there, the petitioner had 8 hours of work whereas the petitioner herein had only 6 hours of work. It is not on account of the periods of work the judgment was rendered, but on account of the bench decision referred to above. I allow the review petition and recall the judgment dated 23.8.2004. Consequently, Annexure II order dated 4.11.2004 is set aside.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 21st March, 2007.